

Order

Michigan Supreme Court
Lansing, Michigan

February 5, 2016

Robert P. Young, Jr.,
Chief Justice

152058

Stephen J. Markman
Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Joan L. Larsen,
Justices

SHAE KEVIN GRAHAM,
Plaintiff-Appellee,

v

SC: 152058
COA: 318487
Oakland CC: 2013-808521-DP

SHAREA FOSTER,
Defendant-Appellant.

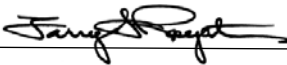
On order of the Court, the application for leave to appeal the June 16, 2015 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other action. MCR 7.305(H)(1). The parties shall file supplemental briefs within 42 days of the date of this order addressing whether the Court of Appeals correctly held that a necessary-party defendant may be brought into a lawsuit after the expiration of the limitations period based on the relation-back doctrine. See *Casserly v Wayne Circuit Judge*, 124 Mich 157, 161 (1900), *Prather Engineering Co v Detroit, F & S Ry Co*, 152 Mich 582, 585 (1908); but see *Miller v Chapman Contracting*, 477 Mich 102, 105 (2007) (“the relation-back doctrine does not extend to the addition of new parties”). The parties should not submit mere restatements of their application papers.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

February 5, 2016


Clerk